

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE PETITION OF THE)	ORDER GRANTING
SOUTH DAKOTA DEPARTMENT OF)	INTERVENTION
TRANSPORTATION FOR A DECLARATORY)	
RULING REGARDING SDCL 49-31-1.1)	TC02-100

On August 5, 2002, the South Dakota Public Utilities Commission ("Commission") received a Petition for Declaratory Ruling from the South Dakota Department of Transportation (Petitioner) requesting the Commission to make a declaratory ruling on the following question: Is 511 a noncompetitive service as defined by SDCL 49-31-1.1, so as to give rise to Commission price regulation in accordance with SDCL 49-31-4 and 49-31-1.4? The Petition states that Petitioner has been approved by the Federal Highway Administration for its 511 Traveler Information Telephone Number Program Support Assistance Program to deploy a statewide 511 number providing travel information services.

On August 8, 2002, the Commission electronically transmitted notice of the filing and the intervention deadline of August 14, 2002, to interested individuals and entities. Qwest Corporation (Qwest) filed a Petition for Leave to Intervene on August 9, 2002.

The Commission has jurisdiction over this matter pursuant to SDCL 1-26-15, ARSD 20:10:01:34 and 20:10:01:35, SDCL 49-1-11 and SDCL Chapter 49-31, particularly 49-31-3, 49-31-1.1 through 49-31-1.4, inclusive, 49-31-4 and 49-31-4.1.

At a regularly scheduled meeting of August 15, 2002, the Commission found that the Petition to Intervene was timely filed and demonstrated good cause to grant intervention. It is therefore

ORDERED, that the Petition to Intervene of Qwest is hereby granted.

Dated at Pierre, South Dakota, this 29th day of August, 2002.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: _____

Date: _____

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner

ROBERT K. SAHR, Commissioner